



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

August 17, 2012

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To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Don Knabe
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From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains information on the following:

- **Status of County-Advocacy Legislation:** Yesterday, the Legislature considered and took action on numerous measures including 17 County-Advocacy bills described in the report below. August 16, 2012 was an important legislative deadline for bills to pass out of the Assembly and Senate Appropriations Committees. Bills that were held or not passed by those committees will not proceed this year.
- **Update on Legislation of County Interest:** The Assembly and Senate Appropriations Committees also acted on several measures of County interest, including:
 - **AB 404 (Gatto)** related to lobbying regulations for county assessors passed the Senate Appropriations Committee and now proceeds to the Senate Floor.
 - **AB 828 (Swanson)** related to eligibility for Cal-Fresh benefits was retained in the Senate Appropriations Suspense file and will not proceed this year.

"To Enrich Lives Through Effective And Caring Service"

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- **AB 1712 (Beall)** related to extended Foster Care and Kinship Assistance benefits passed the Senate Appropriations Committee and now proceeds to the Senate Floor.

Status of County-Advocacy Legislation

County-supported AB 298 (Brownley), which as amended on August 6, 2012, would prohibit grocery and convenience stores from providing single-use carry out bags and create a statewide standard for reusable bag ordinances, was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported AB 591 (Wieckowski), which as amended on May 9, 2012, would require a person carrying out hydraulic fracturing on behalf of an owner or operator at a well to provide the owner or operator a list of the chemical constituents used in the hydraulic fracturing fluid and information on the amount of water and hydraulic fracturing fluid recovered from the well, was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported AB 723 (Bradford), which as amended on August 8, 2012, would extend the sunset date on the public goods charge to 2020 and ensure that electric ratepayer funds for energy efficiency, research development and demonstration, and renewable energy programs are expended consistent with and pursuant to legislative direction, was placed on the Senate Appropriations Suspense file on August 16, 2012 and will not proceed this year.

County-opposed AB 808 (Skinner), which as amended on August 6, 2012, would expand the presumption of job-related injuries to cover hospital employees for methicillin-resistant *Staphylococcus aureus* (MRSA) skin infections. This presumption would exist for employees that provide direct patient care in an acute care hospital if the impairment develops or manifests itself during the period of employment with the hospital, passed the Senate Appropriations Committee by a vote of 5 to 2 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration.

County-supported AB 972 (Butler), which as amended on June 28, 2012, would prohibit the approval of drilling oil and gas wells using hydraulic fracturing until State regulations are adopted, was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported AB 1325 (Lara), which as amended July 2, 2012, would, commencing January 1, 2014, require persons at the time of filing Fictitious Business Name (FBN) statements to provide proof of identity in the form of a California driver's license or other identification acceptable to the county clerk, who may also request an affidavit of identity and other formal documents, passed the Assembly by a vote of 79 to 0 on August 16, 2012. This measure now proceeds to the Governor.

County-supported AB 1453 (Monning), which as amended April 17, 2012, would designate the Kaiser Small Group HMO as California's benchmark plan to serve as the essential health benefits standard under the Federal Affordable Care Act, passed the Senate Appropriations Committee, with amendments, by a vote of 5 to 2 on August 16, 2012. The amendments are not yet available, and the bill now proceeds to the Senate Floor for consideration.

County-supported AB 1560 (Fuentes), which as amended on May 25, 2012, would require the California Department of Social Services, to the extent permitted by Federal law, to waive the CalFresh Program gross income test for any individual who is categorically eligible for CalFresh and who is a member of a household that receives, or is eligible to receive, medical assistance under the Medi-Cal program, was held on the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported AB 1585 (Perez), which would modify ABX1 26 of 2011 to allow a local housing authority to transfer housing functions assigned by a city or county of a former Redevelopment Agency to the California Department of Housing and Community Development, if the local housing authority selected does not accept the housing functions or makes a determination to no longer assume this responsibility, passed the Senate Appropriations Committee by a vote of 5 to 2 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration.

County-opposed AB 1687 (Fong), which as amended June 18, 2012, would 1) clarify the notification process for advising an injured worker of options available to object to a decision rendered under the utilization review process; and 2) authorize the Workers' Compensation Appeals Board to award attorney's fees when an injured worker is successful at overturning a utilization review decision for medical disputes arising from a finding of permanent disability, passed the Senate Appropriations Committee by a vote of 5 to 2 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration.

County-supported AB 1872 (Alejo), which, as amended on July 5, 2012, would require that: 1) family child care homes (FCCHs) ensure any meals and snacks they

provide meet the recommended servings under the four basic food groups as specified by the United States Department of Agriculture Child and Adult Care Food Program (CACFP); 2) the California Department of Social Services to post on its website information about the CACFP; and 3) FCCHs to keep daily menus available for viewing by parents and guardians, passed the Senate Appropriations Committee by a vote of 5 to 2 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration.

County-opposed AB 1968 (Wieckowski), which would authorize a probation officer to carry a firearm as determined by the chief probation officer on a case-by-case basis, and would require chief probation officers to develop a policy for arming probation officers who supervise high-risk probationers by June 30, 2013 and implement that plan by December 31, 2013, passed the Senate Appropriations Committee with amendments by a vote of 7 to 0 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration. Amendments are not in print as of this report but are expected by early next week. This office will report out on the content of the amendments as soon as they are available.

County-supported AB 2214 (Monning), which as amended July 3, 2012, would establish the Health Workforce Development Council to help expand the State's health workforce, was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported AB 2547 (Blumenfield), which as amended May 25, 2012, would establish the Statewide Office of the Homeless Youth Advocate in the Health and Human Services Agency was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported SB 635 (Hernandez), which as amended June 15, 2012, would require funds deposited into the Managed Care Administrative Fines and Penalties Fund in excess of \$1.0 million be annually transferred to the Office of Statewide Health Planning and Development to train health care professionals, was held in the Assembly Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported SB 703 (Hernandez), which as amended June 25, 2012, would establish the Basic Health Program state option allowed under the Federal Patient Protection Affordable Care Act of 2010 to provide health care benefits to persons under 200 percent of the Federal Poverty Level who are ineligible for Medicaid was held in the Assembly Appropriation Committee's Suspense file on August 16, 2012 and will not proceed this year.

County-supported SB 951 (Hernandez), which as amended April 16, 2012, would designate the Kaiser Small Group HMO as California's benchmark plan to serve as the essential health benefits standard under the Federal Affordable Care Act, passed the Assembly Appropriations Committee with amendments by a vote of 12 to 5 on August 16, 2012. The amendments are not yet available, and the bill now proceeds to the Assembly Floor for consideration.

Legislation of County Interest

AB 404 (Gatto), which as amended on August 9, 2012, would require boards of supervisors in counties that regulate lobbying before that body to adopt amendments to the lobbying ordinance to apply its provision to a person who represents a taxpayer for compensation before the county assessor, the county assessor's employees, the county assessment appeals board, the county board of equalization or any assessment hearing officer, passed the Senate Appropriations Committee by a vote of 5 to 2 on August 16, 2012. This measure now proceeds to the Senate Floor for consideration.

AB 828 (Swanson), which as amended on June 13, 2012, would allow an individual convicted of any drug-related felony to be eligible to receive Federal CalFresh benefits, if certain conditions are met, and would amend State law to opt out of the current Federal ban that prohibits individuals convicted of drug felonies from receiving these benefits, was held in the Senate Appropriations Committee's Suspense file on August 16, 2012 and will not proceed this year.

AB 828 was included in the August 14, 2012 Board Agenda for consideration of a support position on this bill, but the Agenda item was continued by the Board for three weeks to September 4, 2012.

AB 1712 (Beall), is the vehicle for clean-up legislation to County-support-in-concept AB 12 (Chapter 559, Statutes of 2010) and AB 212 (Chapter 459, Statutes of 2011), which extended Foster Care and Kinship Guardian Assistance Program benefits to eligible youth up to 21 years of age, as provided in H.R. 6893, the Federal Fostering Connections to Success and Increasing Adoptions Act of 2008, was amended on August 6, 2012.

As amended, AB 1712 would, among other provisions: 1) conform to the Child Welfare Realignment Budget Trailer Bill (SB 1013, Chapter 35, Statutes of 2012); 2) define when the court may transfer jurisdiction of a non-minor dependent (NMD) who has had a continuous physical presence in the county of residence for 12 months as a NMD; 3) describe the circumstances when the continuation of family reunification services to a NMD may be appropriate; 4) clarify when a court-appointed special counsel may be

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appointed for an non minor dependent (NMD); and 5) require a separate court file for a NMD case and the discretion of the county on whether to conduct criminal record checks of NMD's upon re-entry to Extended Foster Care (EFC), which allows for the extension of foster care benefits to age 21 years.

The Department of Children and Family Services (DCFS) reviewed the August 6, 2012 amendments and indicates there are no programmatic or fiscal concerns with the amendments at this time. However, County Counsel continues to have concerns, including the requirement for a separate court file for a NMD case and the discretion of the county on whether to conduct criminal record checks of NMD's upon re-entry to EFC. This office, County Counsel and DCFS continue working with the bill's sponsors to address these concerns.

AB 1712 passed the Senate Appropriations Committee on August 16, 2012, by a vote of 7 to 0, and now proceeds to the Senate Floor for consideration.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:lm

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants